

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LEXINGTON INSURANCE COMPANY, : CIVIL ACTION

:  
Plaintiff, :  
v. :  
: :  
DAVID FORREST, et al., :  
: NO. 02-CV-4435  
Defendants. :  
:  
:

**ORDER**

**AND NOW**, this 28<sup>th</sup> day of February, 2005, in light of the stipulation of dismissal of claims against defendants Fink and New Beginning Enterprises LLC, it is hereby **ORDERED** that defendant Fink's motion to dismiss, stay or sever (docket #70) is **DENIED** as moot.

S/Marie O'Donnell

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ANITA B. BRODY, J.

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O:\ABB\Order dismiss Fink moot.wpd